



## ***CITY OF MIAMI SPRINGS, FLORIDA***

### **CITY CLERK'S SUMMARY OF COUNCIL ACTIONS Regular Meeting of Monday, August 13, 2007 - 7:00 p.m. – Council Chambers**

#### **AGENDA ITEM NUMBER AND SUBJECT**

**1. Call to Order/Roll Call**

All present except Vice Mayor Best.

**2. Invocation/Salute to the Flag:** Councilman Youngs/The audience participated.

**3. Awards & Presentations:**

**3A) Officer of the Month Award for May 2007 – Officer Erik Estok**

Officer Erik Estok was on vacation. Chief of Police H. Randall Dilling will make sure that he gets his award.

**3B) Officer of the Month Award for June 2007 – Officer Oscar García**

Officer Oscar García received the Officer of the Month Award for June 2007 from Chief of Police H. Randall Dilling.

**3C) Officer of the Month Award for July 2007 – Officer Justin B. Robbins**

Officer Justin B. Robbins received the Officer of the Month Award for July 2007 from Chief of Police H. Randall Dilling.

**3D) Pioneer Resident Award – Bobbie Rae Ludwig**

**3E) Pioneer Resident Award – James E. Ludwig**

Bobbie Rae and James E. Ludwig received the Pioneer Resident Award from Mayor Bain in recognition of their many valuable contributions made to the community as residents of Miami Springs for 57 years.

#### **4. Open Forum:**

##### **Springs River Festival**

Chairperson Constance Brandenburg of 851 Falcon Avenue requested and received permission to hold the 2008 Springs River Festival on April 18-19-20, 2008. She introduced Secretary Barbara Marr and Treasurer Nikki Howard.

##### **Oktoberfest**

Ms. Brandenburg reported that the Committee is planning to hold an Oktoberfest fund raiser at the Lions Club on October 6, 2007.

##### **Taste of the Springs**

Ms. Brandenburg also reported and the Taste of the Springs fund raiser will be held sometime in January 2008 in conjunction with a car show.

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Mayor Bain announced that the Professional Golf Association (PGA) is sponsoring a fund raiser to raise funds for injured veterans and he hopes that Miami Springs will participate. They are proposing to collect \$1.00 from every green fee that is paid on Saturday, September 1, 2007 that would go toward the foundation.  
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##### **Annexation**

Miami Springs Airport Area Chamber of Commerce President Jorge Santin of 1249 Heron Avenue stated that the Chamber members support the recent Miami-Dade County proposal for annexation since it is an opportunity to shift the unfair tax burden off the residential sector. He urged Council to make a swift and educated decision for the betterment of the City and its residents in light of the proposed tax reform and the effect it has on the budgets of small municipalities. Future cuts could affect City services or the consideration of the needed capital improvements to the parks and business districts. He recommended establishing a commercial tax district to ensure the businesses receive the needed support to succeed and offered his assistance to help facilitate the process.

**4. Open Forum: (Continued)**

**Driveway Approaches**

Dan Espino of 308 Rosedale Drive stated that there were two cases heard by the Board of Adjustment at their meeting of August 7, 2007 that involved requests for two driveway approaches. Currently the Code requires two driveway approaches of twelve feet or one approach of sixteen feet and he voted to deny approval in accordance with the Code. In both cases, the property had a large frontage and he would like Council to consider amending the ordinance for larger properties.

**5. Approval of Council Minutes: (approved in one motion)**

**5A) 06/18/2007 – Workshop Meeting**

**5B) 06/25/2007 – Regular Meeting**

**5C) 07/26/2007 – Special Meeting**

**Approved as written.**

**Motion:** Councilman Youngs

**Second:** Councilman Garcia

**Vice Mayor Best:** “absent”

**Councilman Dotson:** “aye”

**Councilman Garcia:** “aye”

**Councilman Youngs:** “aye”

**Mayor Bain:** “aye”

**Vote:** 4-0

**6. Reports from Boards & Commissions:**

**6A) 05/30/2007 – General Employees' Retirement System – Minutes**

**6B) 05/30/2007 – Police Officers and Firefighters' Retirement System – Minutes**

**6C) 06/21/2007 – Historic Preservation Board – Minutes**

**6D) 06/26/2007 – Ecology Board – Minutes**

**6E) 08/21/2007 – Education Advisory Board – Cancellation Notice**

**6F) 08/07/2007 – Zoning and Planning Board – Cancellation Notice**

**6G) 08/01/2007 – Architectural Review Board – Cancellation Notice**

**6H) 08/08/2007 – Golf and Country Club Advisory Board – Cancellation Notice**

**6I) 08/09/2007 – Board of Parks and Parkways – Cancellation Notice**

Agenda items 6A through 6I were **received for information without comment.**

**6J) 08/07/2007 – Board of Adjustment – Approval of Actions Taken at their Meeting of August 7, 2007, Subject to the 10-day Appeal Period**

Actions taken by the Board of Adjustment were **approved subject to the 10-day appeal period.**

**Motion:** Councilman Youngs

**Second:** Councilman Dotson

**Vice Mayor Best:** “absent”

**Councilman Dotson:** “aye”

**Councilman Garcia:** “aye”

**Councilman Youngs:** “aye”

**Mayor Bain:** “aye”

**Vote:** 4-0

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Council **scheduled** a Board of Appeals meeting for Wednesday, August 29, 2007 at 7:00 p.m.  
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**7. Public Hearings:** None.

**8. Consent Agenda: (approved with one motion)**

**8A) Notification of Payment to the City Attorney for Services Rendered During the Month of June 2007, in the Amount of \$9,388.50**

Council **received** notification that the June 2007 invoice from the City Attorney in the amount of \$9,388.50 had been paid.

**Motion:** Councilman Garcia

**Second:** Councilman Youngs

**Vice Mayor Best:** “absent”

**Councilman Dotson:** “aye”

**Councilman Garcia:** “aye”

**Councilman Youngs:** “aye”

**Mayor Bain:** “aye”

**Vote:** 4-0

**8B) Approval of \$5,000 Fee to Curtis Publishing Company for the publication of 2008-2009 Miami Springs Area Directory**

Council **approved** payment of \$5,000 to the Curtis Publishing Company for the publication of the Miami Springs Area Directory of 2008-2009.

**Motion:** Councilman Garcia

**Second:** Councilman Youngs

**Vice Mayor Best:** “absent”

**Councilman Dotson:** “aye”

**Councilman Garcia:** “aye”

**Councilman Youngs:** “aye”

**Mayor Bain:** “aye”

**Vote:** 4-0

**8C) Approval of Lease Extension Agreement for the Premises Located at 274 Westward Drive for the Community Policing Office for One Year Commencing on October 1, 2007 Through September 30, 2008, with Funds from the Law Enforcement Trust Fund in the Fiscal Year 2007-2008 Budget**

Council **approved** the extension agreement for the lease of the premises at 274 Westward Dr.

**Motion:** Councilman Garcia

**Second:** Councilman Youngs

**Vice Mayor Best:** “absent”

**Councilman Dotson:** “aye”

**Councilman Garcia:** “aye”

**Councilman Youngs:** “aye”

**Mayor Bain:** “aye”

**Vote:** 4-0

**8D) Approval of Payment of the City Attorney’s Invoice for July 2007 in the Amount of \$8,470.00**

Council **approved** payment of the City Attorney’s invoice for July 2007 in the amount of \$8,470.00.

**Motion:** Councilman Garcia

**Second:** Councilman Youngs

**Vice Mayor Best:** “absent”

**Councilman Dotson:** “aye”

**Councilman Garcia:** “aye”

**Councilman Youngs:** “aye”

**Mayor Bain:** “aye”

**Vote:** 4-0

**8E) Approval of Extension of Employment Agreement Between the City and Chief of Police H. Randall Dilling**

Council **approved** the extension of an employment agreement with Chief of Police Dilling.

**Motion:** Councilman Garcia

**Second:** Councilman Youngs

**Vice Mayor Best:** “absent”

**Councilman Dotson:** “aye”

**Councilman Garcia:** “aye”

**Councilman Youngs:** “aye”

**Mayor Bain:** “aye”

**Vote:** 4-0

**9. Old Business:**

**9A) Appointment to the Ecology Board by Mayor Bain to Fill an Unexpired Term Ending on April 30, 2009 (Joe Podgor’s seat)**

Mayor Bain **deferred** his appointment.

**9B) Appointment to the Golf and Country Club Advisory Board by Mayor Bain for an Unexpired Term Ending on July 31, 2007 (Noel Pereda’s seat)**

Mayor Bain **deferred** his appointment.

**9C) Appointment to the Civil Service Board by Councilman Garcia (Group III) for an Unexpired Term Ending on June 30, 2009 (Roslyn Buckner’s seat)**

Councilman Garcia (Group III) **deferred** his appointment.

**9D) Appointment to the Ecology Board by Councilman Youngs (Group IV) for a Full 3-year Term Ending on April 30, 2010 (Donna Dawson’s seat)**

Councilman Youngs (Group IV) **deferred** his appointment.

**9E) Appointment to the Civil Service Board by Councilman Youngs (Group IV) for a Full 3-year Term Ending on June 30, 2010 (Félix D. Pérez’ seat)**

Councilman Youngs (Group IV) **deferred** his appointment.

**9F) Appointment to the Code Review Board by Councilman Youngs (Group IV) for a Full 3-year Term Ending on April 30, 2010 (Jana Armstrong's seat)**

Councilman Youngs (Group IV) **deferred** his appointment.

**9G) Appointment to the Recreation Commission by Councilman Youngs (Group IV) for a Full 3-year Term Ending on April 30, 2010 (Robert Williams' seat)**

Councilman Youngs (Group IV) **deferred** his appointment.

**9H) Appointment to the Education Advisory Board by Vice Mayor Best (Group I) for a 2-year Term Ending on May 31, 2009 (Dr. Karen Williams was unable to accept appointment)**

Vice Mayor Best was absent and his appointment was **tabled**.

**9I) Update of Water and Sewer System Transference from the City of Miami Springs to the Miami-Dade County**

Council **received** a report from the City Manager regarding the latest developments concerning the transference of the water and sewer system to the County. He reported that WASA informed him that they contracted for a rate study of the water and sewer retail and wholesale rates, and the study recommends a significant increase which will have an impact on the report he submitted to Council. The final numbers are not known until the Board of County Commissioners decides whether or not to institute an increase this year or over the next 2-3 years.

The City Attorney informed Council that he had already prepared a resolution authorizing the transfer of the City's water and sewer systems to the County, and determining that the transfer was in the best interest of the City.

Council **directed** the Administration to hold a public hearing regarding the resolution at the next Council meeting of August 27, 2007.

**9J) Status Report on Progress of the Metropolitan Center Regarding Comprehensive Plan Amendments for 36<sup>th</sup> Street**

Council **received** a written report from the Metropolitan Center concerning the Comprehensive Plan.

Council **directed** the Administration to send a letter to FIU emphasizing how important this is for the City and that the public hearing has been scheduled for the August 27, 2007 Regular Meeting.

**9K) Report Regarding the Recreation Department**

**9K1) Recreation Department Needs Assessment Survey**

Council **received** a report regarding the Recreation Department Needs Assessment Survey, which is scheduled to go out within two weeks. The final report should be presented to Council at the end of September.

Council was of the opinion that information regarding the importance of the survey and returning it promptly to the City should be advertised in the local media, Channel 77, in the utility bills, etc.

**9K2) Phase 2 Engineering Report on Gymnasium**

Council **received** a report regarding Phase 2 of the Engineering Report on the Gymnasium. By consensus, Council **directed** the City Manager to obtain a cost estimate for refurbishing the existing recreation center.

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Mayor Bain called for a 5-minute recess at 9:05 p.m.

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Regarding Agenda Item 9K 2 on the Recreation Center, Attorney Seiden suggested allowing the City Manager latitude when preparing the specifications for the gym to allow bidders to submit an alternative bid for a design-build situation for an addition.

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**9L) Status of Deer Run Petition to Close Street**

The City Manager **reported** that he sent a letter to the County to seek their approval to begin the process to barricade Deer Run.

Mayor Bain suggested sending a letter to the residents to keep them informed.

Councilman Garcia wondered how the barricade would affect police and emergency services. Chief Dilling responded that there are alternative routes and the Police Department would get used to the barricade.

Councilman Garcia requested a cost assessment for the barricade in order to justify the need.



Mayor Bain asked to consider barricading Deer Run immediately after the Shell gas station in order to block the incoming traffic from N. W. 36<sup>th</sup> Street.

Chief Dilling explained that the Police Department had increased traffic enforcement on Deer Run and most tickets issued are to local residents.

**9M) Request from the Miami Springs General Employees Retirement Pension Board to Change the Calculation of “Final Average Salary (FAS)” from the Current Five (5) Years to Three (3) Years**

Council **considered** the request to change the calculation of the “Final Average Salary (FAS)” and **tabled** the item for consideration at a future meeting.

**10. New Business:**

**10A) Appointment to the Golf and Country Club Advisory Board by Vice Mayor Best (Group I) for a Full 2-Year Term Ending on July 31, 2009 (Mark Safreed’s seat)**

Vice Mayor Best was absent and the appointment was **tabled**.

**10B) Appointment to the Golf and Country Club Advisory Board by Councilman Dotson (Group II) for a Full 2-Year Term Ending on July 31, 2009 (George Heider’s seat)**

Councilman Dotson (Group II) **re-appointed** George Heider to the Golf and Country Club Advisory Board.

**10C) Appointment to the Golf and Country Club Advisory Board by Councilman Garcia (Group III) for a Full 2-Year Term Ending on July 31, 2009 (Phyllis Causey’s seat)**

Councilman Garcia (Group III) **deferred** his appointment.

**10D) Appointment to the Golf and Country Club Advisory Board by Councilman Youngs (Group IV) for a Full 2-Year Term Ending on July 31, 2009 (Ken Amendola’s seat)**

Councilman Youngs (Group IV) **deferred** his appointment.

**10E) Ordinance – First Reading – An Ordinance of the City Council of the City of Miami Springs Amending the Title to Code of Ordinance Chapter 113, Occupational License Taxes; Amending the References to “License” and “Occupational Licenses” in Code Sections 113-01, License Required, 113-02, Payment Required, 113-03, Issuance of License, 113-04, Schedule of Fees, 113-05, Display of License, 113-06, Insurance Agency or Agent, 113-07, Selling or Disposing of Merchandise, 113-08, Application for License, 113-09, Compliance, 113-10, Revocation or Suspension of License; Appeals, 113-12, Duties of Officers, Employees, etc. of Firms, Corporation or Associations, 113-13, Psychologist License; Amending Code of Ordinance Section 113-04, Schedule of Fees, to Provide a Five (5%) Percent Increase in the Cost of All City Business Taxes; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date**

**Approved, as amended, on first reading.**

**Motion:** Councilman Youngs

**Second:** Councilman Garcia

**Vice Mayor Best:** “absent”

**Councilman Dotson:** “aye”

**Councilman Garcia:** “aye”

**Councilman Youngs:** “aye”

**Mayor Bain:** “aye”

**Vote:** 4-0

**10F) Recommendation to Reject Request for Proposals for the Proposed Parking Lot in the Median of Curtiss Parkway**

Council **rejected** the Request for Proposals for the proposed parking lot in the median of Curtiss Parkway.

**Motion:** Councilman Garcia

**Second:** Councilman Dotson

**Vice Mayor Best:** “absent”

**Councilman Dotson:** “aye”

**Councilman Garcia:** “aye”

**Councilman Youngs:** “aye”

**Mayor Bain:** “aye”

**Vote:** 4-0

**10G) Recommendation that Council Approve Budget Transfers Between General Classifications of Expenditures Within a City Department, as Provided for in Section 9.04 (1) of the City Charter**

Council **approved** the budget transfer between general classifications of expenditures.

**Motion:** Councilman Dotson

**Second:** Councilman Garcia

**Vice Mayor Best:** “absent”

**Councilman Dotson:** “aye”

**Councilman Garcia:** “aye”

**Councilman Youngs:** “aye”

**Mayor Bain:** “aye”

**Vote:** 4-0

**10H) Recommendation that Council Approve Change Order No. 01 for the Security System in the Amount of \$35,082.00**

Council **approved** Change Order No. 01 for the security system in the amount of \$35,082.00.

**Motion:** Councilman Garcia

**Second:** Councilman Youngs

**Vice Mayor Best:** “absent”

**Councilman Dotson:** “aye”

**Councilman Garcia:** “aye”

**Councilman Youngs:** “aye”

**Mayor Bain:** “aye”

**Vote:** 4-0

**10I) Resolution – A Resolution of the City Council of the City of Miami Springs Providing for the Third Amendment to the FY 2006-2007 General Fund Budget; Providing for an Increase in the Recreation Department’s Budget for the Acquisition of a Lightning Prediction System and a Tot Lot Shade System; Providing for an Increase in the Building and Zoning Department’s Budget to Provide for the Additional Costs of Inspections While Also Increasing Licenses and Permits Revenues Due to Higher than Expected Collections; Providing for an Increase in the Non-Departmental Budget Due to Encumbrances From the Prior Year Not Being Included; Effective Date**

Council **adopted** the resolution (Resolution No. 2007-3365)

**Motion:** Councilman Youngs

**Second:** Councilman Dotson

**Vice Mayor Best:** “absent”

**Councilman Dotson:** “aye”

**Councilman Garcia:** “aye”

**Councilman Youngs:** “aye”

**Mayor Bain:** “aye”

**Vote:** 4-0

**10J) First Reading – Ordinance – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 150-016, Off-Street Parking Facilities; Paving and Drainage; Lighting; Landscaping; And Minimum Number of Off-Street Parking Spaces; Off-Street Parking Requirements for Single Family Residential and Duplex Zoning Districts; by Clarifying and Expanding the Provisions Relating to Private Property Driveways and Driveway Approaches Contained in Subsection (G) (8) of the Ordinance; Providing for Concurrent Jurisdiction and Inspection Responsibilities for Driveway Approaches; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date**

**Approved, as amended, on first reading.**

**Motion:** Councilman Youngs

**Second:** Councilman Garcia

**Vice Mayor Best:** “absent”

**Councilman Dotson:** “aye”

**Councilman Garcia:** “aye”

**Councilman Youngs:** “aye”

**Mayor Bain:** “aye”

**Vote:** 4-0

**10K) First Reading – Ordinance – An Ordinance of the City Council of the City of Miami Springs Amending Code of Ordinance Section 153-20, Criteria for Designation of Individual Sites, to Create and Establish a New “Special Category of Historical Designation” Without Future Restrictions or Limitations; Repealing all Ordinances or Parts of Ordinances in Conflict; Effective Date**

**Approved, as amended, on first reading.**

**Motion:** Councilman Garcia

**Second:** Councilman Youngs

**Vice Mayor Best:** “absent”

**Councilman Dotson:** “aye”

**Councilman Garcia:** “aye”

**Councilman Youngs:** “aye”

**Mayor Bain:** “aye”

**Vote:** 4-0

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Agenda Item 10N discussed at this time.

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**10L) Recommendation that Council Approve an Expenditure of \$8,500 to Fence Masters, Utilizing County Bid # 4421-0/09, as Provided in Section 31.11 (E) (5) of the City Code to Install 250 Feet Approximately of Permanent FDOT Approved Metal Barricades on the Canal Side Along the 1200 Block of North Royal Poinciana Blvd., to be Paid with CITT Funds**

Council **approved** an expenditure of \$8,500 to Fence Masters.

**Motion:** Councilman Dotson

**Second:** Councilman Garcia

**Vice Mayor Best:** “absent”

**Councilman Dotson:** “aye”

**Councilman Garcia:** “aye”

**Councilman Youngs:** “aye”

**Mayor Bain:** “aye”

**Vote:** 4-0

**10M) Recommendation that Council Approve an Expenditure of \$15,985 to Wrangler Construction, Inc., as the Lowest Bidder, as Provided in Section 31.11 (E) (6) (g) of the City Code to Repair Severe Pot Holes to Approximately 8,500 Square Feet of Asphalt Swale Area on Fairway and Eldron Drives, to be Paid out of CITT Funds**

Council **tabled** this item and requested that the owners be notified that they are responsible for maintaining the swale area.

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Agenda Item 10N was discussed after Agenda Item 10K.

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**10N) Recommendation that Council Award Bid # 03-06/07 to Southeast Design Associates, Inc., in the Amount of \$97,700, as Provided in Section 31.11 (E) (1) of the City Code, for Completion of Construction Documents for the Proposed Linear Park Along the Miami Canal at Canal Street**

Council **awarded** Bid # 03-06/07 to South Design Associates, Inc. in the amount of \$97,700.

**Motion:** Councilman Garcia

**Second:** Councilman Youngs

**Vice Mayor Best:** “absent”

**Councilman Dotson:** “aye”

**Councilman Garcia:** “aye”

**Councilman Youngs:** “aye”

**Mayor Bain:** “aye”

**Vote:** 4-0

**10O) Recommendation to Authorize a Grant Application to the State of Florida Department of Environmental Protections's Florida Recreation Development Assistance Program to Continue the Development of a Linear Park Along the Miami River/Canal Street**

Tabled.

**10P) Resolution – A Resolution of the City Council of the City of Miami Springs Authorizing the City's Application for a Matching Grant from the State of Florida Department of Environmental Protection's Florida Recreation Development Assistance Program for the Second Phase of the City's Development of the Liner Park Along the Miami River Canal and Canal Street in the City's Downtown Area; Authorizing the Amendment of the City's Capital Improvement Plan and Budget to Provide the Required Grant Match Funding; Effective Date**

Tabled.

**11. Other Business:**

None.

**12. Reports & Recommendations:**

**12A) City Attorney**

No report.

**12B) City Manager**

**Finance Director**

Reminded Council that officially this is Finance Director Alonso's last meeting. However, Mr. Alonso plans to attend the next Budget Workshop and the public hearings.

**Golf and Country Club**

Reported that the Golf and Country Club would be celebrating the 10<sup>th</sup> year of ownership on Sunday, October 14, 2007 although the anniversary date is October 23<sup>rd</sup>. The Assistant City Manager added that the event is for all residents with a golf tournament and events for the kids.

## **12B) City Manager (Continued)**

### **Shuttle Service**

City Manager Borgmann reported that he is meeting with a representative of the company who is providing the shuttle service for Miami Shores and a few other communities on Thursday, August 16<sup>th</sup> and a report would be forthcoming.

## **12C) City Council**

### **Fair Havens Noise Blanket**

Councilman Dotson inquired about the status of the engineering blanket for the Fair Havens' air conditioner.

Assistant City Manager Gorland reported that the blanket is finished and in place; however, part of the unit is not completely sealed, which should be done within the next few days and as soon as the last piece is installed the noise should be lower. He added that he had not heard from the surrounding residents on Morningside Drive and he will circulate information to the residents when the last section is in place.

### **Tot-lot Shade System**

Councilman Garcia thanked the Administration and the Recreation Staff for working diligently to have the shade system installed at the Tot-lot, which everyone is enjoying.

Assistant City Manager Gorland stated that the Florida League of Cities inspected the Recreation facilities and they want to immediately close the Tot-lot because there is not enough mulch to keep the kids from getting hurt. Mulch is being requested in the upcoming budget, but there were no plans to do it immediately. He was alerted verbally and has not seen the report in writing.

## **12B) City Council (Continued)**

### **Grant Writer/Lobbyist/ Public Information Officer**

Councilman Garcia stated that there had been some debate about pursuing a grant writer/lobbyist/public information officer but he would like to know if there is a timeline for sending out Request for Qualifications because there is no commitment to follow through with acquiring the services. This way Council would be able to see what the benefits are of actually hiring someone.

The City Manager reported that he began preparation of a vendor list in anticipation of putting out a Request for Qualifications. He said that the City Attorney submitted an opinion saying that the selection process was not subject to the same standards as engineering firms. He does not want to select someone at will because he wants to get the best group depending on the particular areas of expertise.

### **Barry's Cleaners**

Councilman Garcia reported that the Barry's Cleaners' building has exposed beams. He would like to know if there is anything the City can do to get the owner to repair the building.

The City Manager explained that a project was started that was never completed and the building is more of a nuisance, not a hazard. The City will approach the owner to ask for completion of the repairs or demolition of the building.

### **Hurricane Shutters**

Councilman Garcia received a letter from a resident in reference to business owners closing their windows with hurricane shutters for security purposes, which is not appropriate in the Downtown area. He would like an ordinance to help regulate the placement of shutters in the commercial areas.



## **12B) City Council (Continued)**

### **Nuisance Abatement Board**

Councilman Garcia requested information on establishing a Nuisance Abatement Board. He would like to bring the businesses and property owners on Eldron and Fairway Drive into compliance with code violations and beautify the area.

Attorney Seiden stated that nuisance based upon crime had been addressed without a Nuisance Abatement Board by sending violation notices pursuant to the Nuisance Section of the Code, which requires the owner to comply by removing the nuisance and taking steps to eliminate crime. In order to revoke a business license there must be a basis and the first step would be to generate statistics from the department to see if there is any particular property that would be subject to a nuisance violation.

Councilman Garcia asked if the City could ask the property owners to install additional lighting in dark areas to deter crime.

The City Attorney stated that the Police Department made suggestions as to how the property owners could better police their own properties.

Councilman Garcia reiterated that establishing a Board could help to present ideas and it would be a valuable asset to get people from the commercial areas involved, leaving policing to the Police Department and code violations to the Code Compliance Department.

City Attorney Seiden said that a Nuisance Abatement Board is generally a prosecutorial board, not an advisory board that makes recommendations. He offered to speak with Councilman Garcia about the idea.

## **13) Adjourn**

Meeting adjourned at 11:28 p.m.